

United States District Court District of Massachusetts

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2004-10176-RWZ

ITZA RUIZ,
HERIBERTO RUIZ,
Defendants.

ORDER AND RECOMMENDATION AFTER FINAL STATUS CONFERENCE PURSUANT TO LOCAL RULE 116.5(C)

COLLINGS, U.S.M.J.

A Final Status Conference was held on November 18, 2004.

The within Order is prepared pursuant to Local Rule 116.5(D). Using the
numeration of matters listed in Local Rule 116.5(C), I report as follows:

- (1) None.
- (2) No.
- (3) No.

- (4) No defense of alibi will be interposed.
- (5) No non-discovery type motions (motions to dismiss, suppress, etc.) will be filed.
- (6) ***An Initial Pretrial Conference should be set as soon as possible. THE SPEEDY TRIAL ACT CLOCK IS RUNNING.***
- (7) The case will probably not have to be tried; trial will last about five days.
- (8) See Further Order of Excludable Delay entered this date,
- (9) Five days.

Using the numeration of matters listed in Local Rule 116.5(D), I report as follows:

- (1) Yes.
- (2) Yes; no reason for the case to remain with the magistrate judge.
- (3) See ¶ (5), *supra*.
- (4) See ¶ (8), *supra*.
- (5) Five days.
- (6) None.

I RECOMMEND that the Court set the case down for an Initial Pretrial Conference pursuant to Local Rule 117.1 ***AS SOON AS POSSIBLE. THE SPEEDY TRIAL ACT CLOCK IS RUNNING.***

THE FILE IS RETURNED TO THE CLERK'S OFFICE WITH INSTRUCTIONS

TO BRING THE CASE TO THE IMMEDIATE ATTENTION OF THE
COURTROOM DEPUTY CLERK ASSIGNED TO JUDGE ZOBEL'S SESSION.

The Clerk shall enter on the docket the fact that the case "is no longer
referred to Magistrate Judge Collings."

/s/ Robert B. Collings

ROBERT B. COLLINGS
United States Magistrate Judge

November 18, 2004.